

United States Bankruptcy Court

Southern District of New York

In re

360NETWORKS (USA) INC., et al.,

Bankruptcy Case No. 01-13721 (ALG)

Debtor(s)

THE OFFICIAL COMMITTEE OF
UNSECURED CREDITORS OF
360NETWORKS (USA) INC., et al., and
360NETWORKS (USA) INC., by and through
THE OFFICIAL COMMITTEE OF
UNSECURED CREDITORS OF
360NETWORKS (USA) INC., et al.,

-- against --

Plaintiff(s) Adv. Proc. No. 03-04316

THE PUBLIC UTILITIES COMMISSION OF
THE STATE OF CALIFORNIA and
MICHAEL R. PEEVEY, LORETTA M.
LYNCH, CARL W. WOOD, GEOFFREY F.
BROWN, AND SUSAN P. KENNEDY, in their
official capacities as Commissioners of the
Public Utilities Commission of the State of
California, and not as individuals,

Defendant(s)

**SUMMONS AND NOTICE OF PRETRIAL CONFERENCE
IN AN ADVERSARY PROCEEDING**

YOU ARE SUMMONED and required to submit a motion or answer to the complaint which is attached to this summons to the clerk of the bankruptcy court within 30 days after the date of issuance of this summons, except that the United States and its offices and agencies shall submit a motion or answer to the complaint within 35 days, to:

**United States Bankruptcy Court, Southern District of New York
One Bowling Green
New York, New York 10004-1408**

At the same time, you must also serve a copy of the motion or answer upon the plaintiff's attorney.

Name and Address of Plaintiff's Attorney:

Norman N. Kinel, Esq.
Shalom L. Kohn, Esq.
Maria Melendez, Esq.
Sidley Austin Brown & Wood LLP
787 Seventh Avenue
New York, NY 10019

If you make a motion, your time to answer is governed by Bankruptcy Rule 7012.

YOU ARE NOTIFIED that a pretrial conference of the proceeding commenced by the filing of the complaint will be held at the following time and place:

United States Bankruptcy Court
Southern District of New York
One Bowling Green
New York, NY 10004-1408

Room: 617

Date and Time:

August 12, 2003 at
10:00a.m.

IF YOU FAIL TO RESPOND TO THIS SUMMONS, YOUR FAILURE WILL BE DEEMED TO BE YOUR CONSENT TO ENTRY OF A JUDGMENT BY THE BANKRUPTCY COURT AND JUDGMENT BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF DEMANDED IN THE COMPLAINT.

Kathleen Farrell Willoughby

Clerk of the Bankruptcy Court

6/24/03

Date

By: /s/Maria E. Rodriguez

Deputy Clerk

CERTIFICATE OF SERVICE

I, Aliza Reicher, certify that I am, and at all times during the
(name)
service of process was, not less than 18 years of age and not a party to the matter concerning which
service of process was made. I further certify that the service of this summons and a copy of the
complaint was made June 26, 2003 by:
(date)

X Mail service: Regular, first class United States mail, postage fully prepaid, addressed to:
The Public Utilities Commission of the State of California; Michael R. Peevey,
President; Loretta M. Lynch, Commissioner; Carl W. Wood, Commissioner; Geoffrey F.
Brown, Commissioner; Susan P. Kennedy, Commissioner; Lionel Wilson, Acting
General Counsel; William Ahern, Executive Director,

each served individually at: 505 Van Ness Avenue, San Francisco, CA 94102

☐ Personal Service: By leaving the process with defendant or with an officer or agent of defendant at:

☐ Residence Service: By leaving the process with the following adult at:

☐ Publication: The defendant was served as follows: [Describe briefly]

☐ State Law: The defendant was served pursuant to the laws of the State of _____
as follows: [Describe briefly] (name of state)

Under penalty of perjury, I declare that the foregoing is true and correct.

June 27, 2003 By: /s/ Aliza Reicher
Date Signature

<i>Print Name</i> Sidley Austin Brown & Wood LLP			
<i>Business Address</i> 787 Seventh Avenue			
<i>City</i>	New York	<i>State</i>	NY
		<i>Zip</i>	10019

NOTICE OF ELECTRONIC FILING PROCEDURE

Case Name:

Case Number:

Date Filed:

This adversary proceeding is docketed exclusively on the Court's Electronic Case Filing System. The system can be accessed via the Internet utilizing an attorney password. In compliance with Federal Rule of Civil Procedure Rule 11 and in accordance with Local Bankruptcy Rule 9011-1, the attorney's password shall constitute the signature of the attorney. An original signed copy of the filing shall be maintained in the attorney's files. A chamber's copy of all filed documents is required and all parties with legal representation must file documents in accordance with the following:

1. The requirements for filing, viewing and retrieving case documents are: A personal computer running a standard platform such as Windows, Windows 95 or Macintosh; an Internet provider, Netscape Navigator software version 3.0 or higher and Adobe Exchange software to convert documents from a word processor format to a portable document format (PDF). The URL address is www.nysb.uscourts.gov and a password is needed to file documents on the system. If you are unable to comply with this requirement, then
2. You must submit documents on a diskette using PDF format. Adobe software provides this format. Further instruction may be found in Adobe's manual. Use a separate diskette for each filing. Submit the diskette in an envelope with the case name, case number, type and title of document, and the file name on the outside of the envelope. If you are unable to comply with this requirement, or requirement number 1, then
3. You must submit your documents on a diskette using one of the following formats: Word, WordPerfect, or DOS text (ASCII). If you are unable to comply with this requirement, or requirements 1 or 2, then
4. You must submit an affidavit of your inability to file in either of the above formats. You may then file conventionally on unstapled, unbound, single-sided paper. **Include your affidavit with each filing.**

Guidelines for filing an adversary proceeding online and Step by Step Guides may be found on the court's home page at www.nysb.uscourts.gov and can be accessed without a password.

For assistance, call (212) 668-2870 ext. 3522 or ext. 3920. To schedule training, call ext. 3580, Monday - Friday, 8:30 a.m. - 5:00 p.m. New York time.